

EXHIBIT 1

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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION**

IN RE COLLEGE ATHLETE NIL
LITIGATION

Case No. 4:20-cv-03919-CW

**DECLARATION OF SCOTT BEARBY
IN SUPPORT OF JOINT OMNIBUS
MOTION TO SEAL**

Trial Date: 2025-01-27
Judge: Hon. Claudia Wilken

1 I, Scott Bearby, declare that the following is true:

2 1. I am the Senior Vice President of Legal Affairs and General Counsel of the National
3 Collegiate Athletic Association (“NCAA”). I make this declaration of my own personal knowledge
4 and, if called on to do so, could testify competently to the facts stated herein under oath.
5

6 2. I make his declaration in support of the parties’ Joint Administrative Motion to Seal
7 filed on September 15, 2023 (ECF No. 318). I submit this declaration pursuant to the Stipulation and
8 Order as Modified Modifying Sealing Procedures Relating to Class Certification Briefing and
9 Related Documents (ECF No. 207) and Civil Local Rule 79-5, *et seq.*, for the United States District
10 Court for the Northern District of California.

11 3. I joined the NCAA in January 1999 and, after serving in various legal positions at the
12 national office, I was named Vice President of Legal Affairs and General Counsel in August 2016
13 and was later promoted to Senior Vice President of Legal Affairs and General Counsel. I oversee the
14 office of legal affairs, hearing operations and government affairs. The office of legal affairs handles
15 a number of legal responsibilities across the NCAA, including managing litigation involving the
16 national office, and supporting the NCAA’s governance and sport committees, 90 championships,
17 and national office staff in assisting the membership and student-athletes.
18

19 4. From my various roles at the NCAA, I have become intimately familiar with the
20 NCAA’s business, strategy, and finances. I have detailed knowledge of the NCAA’s revenue
21 streams and the contracts from which the NCAA derives that revenue. As a result, I am well-
22 apprised of the terms and conditions embodied in the NCAA’s broadcast media agreements and its
23 other commercial contracts, including how these contracts fit into the NCAA’s business more
24 broadly and its strategic objectives. I also have knowledge of the NCAA’s financial information, as
25 well as membership financial reporting requirements through the NCAA Membership Financial
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1 Reporting System (“MFRS”). Furthermore, I am aware of the measures the NCAA has taken to
2 maintain the confidentiality of its sensitive, competitive, or proprietary information.

3 5. I understand that a party seeking to file a document under seal must “establish that a
4 document, or portions thereof, are sealable.” Civil L.R.79-5(c). In connection with class
5 certification motions, I understand that courts generally require a designating party to demonstrate
6 that “compelling reasons” exist to protect the information from being disclosed. *Kamakana v. City*
7 *& Cnty. of Honolulu*, 447 F.3d 1172, 1178-79 (9th Cir. 2009); *Integrity Message Boards.com v.*
8 *Facebook, Inc.*, No. 18-cv-05286-PJH, 2021 WL 3771785, at *21 (N.D. Cal. Aug. 24, 2021).

9
10 6. The NCAA considers certain information included in the parties’ various filings in
11 support of and in opposition to the Plaintiffs’ motion for class certification and related expert
12 materials to be confidential, proprietary, and competitively sensitive information belonging to the
13 NCAA. The NCAA therefore requests that the portions of the parties’ filings containing the
14 NCAA’s confidential information, set forth in detail in Exhibit 1 to this Declaration, be maintained
15 and filed under seal.

16
17 7. The information that the NCAA is requesting that the Court maintain and file under
18 seal is narrowly tailored and redacted, and the NCAA can demonstrate that compelling reasons exist
19 to maintain these narrowly tailored redactions under seal. The information that the NCAA seeks to
20 seal generally falls into the following categories:

- 21
22 a. Confidential, competitively sensitive terms and provisions of the NCAA’s
23 broadcast media agreements, which are highly negotiated and, to the best of my
24 knowledge, unique to the NCAA;
25
26 b. Confidential, competitively sensitive terms and provisions of the NCAA’s actual
27 or potential contractual relationships with third-party commercial entities, such as
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1 licensing and sponsorship agreements, which are highly negotiated and, to the best
2 of my knowledge, unique to the NCAA; and

3 c. Confidential, competitively sensitive business and financial information, including
4 financial statements, that would harm the NCAA and/or its membership if made
5 publicly available.
6

7 8. I understand that the NCAA's broadcast media agreements produced in this case are
8 subject to confidentiality protections through the Stipulated Protective Order (ECF No. 137), as
9 supplemented and amended (ECF No. 148) (together, the "Protective Order"), entered in this case
10 and have been designated "Network Strictly Confidential– Outside Litigation Counsel Only"
11 pursuant to that Protective Order to preserve their confidentiality.
12

13 9. I further understand that the NCAA's highly confidential financial documents,
14 including annual audited financial statements, produced in this case are similarly subject to
15 confidentiality protections through the Protective Order and have been designated "Highly
16 Confidential Financial Information" pursuant to that Protective Order, again to preserve their
17 confidentiality.
18

19 10. The NCAA does not publish or share this type of financial information publicly, and
20 documents containing information concerning the NCAA's finances are kept strictly confidential. The
21 NCAA limits access even within the Association to employees who have a legitimate need for it.
22 Employees who are permitted to access this information are well aware that it is non-public and are
23 instructed to maintain confidentiality.

24 11. The NCAA annually collects certain financial information from member schools
25 detailing operating revenues, expenses and capital relating to the intercollegiate athletics program.
26 The NCAA maintains a policy of not releasing information submitted by individual institutions; only
27 the aggregate results by NCAA division will be released. I am aware that in the course of this litigation
28 the NCAA has produced the MFRS data for numerous member schools over a multi-year period. The

1 class certification filings in this litigation frequently rely on this data, as noted in Exhibit 1. Release
2 of this would be harmful to the NCAA and its member institutions by disclosing highly sensitive
3 information about how an institution generates revenue and allocates it, which is why this MFRS data
4 has been deemed Highly Confidential NCAA Member Financial Data only by the Protective Order.
5 This highly detailed financial information is protected and unique to each institution. Publicly
6 revealing such data could impact the competitive standing of member institutions and would have a
7 host of consequences for many colleges and universities, as well as for the NCAA, in future contract
8 negotiations and for efforts to maintain a competitive edge in the higher education market and in the
9 realm of intercollegiate athletics.

10 12. The NCAA would be harmed if this, or any, highly confidential financial information
11 is revealed. Public access to this detailed financial information could allow reverse engineering of the
12 financial terms and conditions in the NCAA's broadcast media agreements, commercial and licensing
13 contracts, and proposed contracts, which are highly confidential and proprietary, and extensively
14 negotiated. They reflect, among other things, provisions concerning the rights fees to be paid
15 (including the terms and timing of such payments), the rights to be licensed, ownership of copyrights
16 to broadcasts, and distribution of the broadcasts, all of which are highly negotiated. The revelation of
17 these terms would put the NCAA at a competitive disadvantage in negotiating future broadcast
18 agreements and other contracts by exposing what the NCAA had agreed to previously, thereby
19 compromising the NCAA's ability to bargain in connection with similar terms in subsequent
20 negotiations. The NCAA's highly confidential financial information is therefore properly the subject
21 of sealing.

22 13. The limited redactions proposed above, and in Exhibit 1 and the Proposed Order, are
23 narrowly tailored and seek to seal only highly confidential and sensitive information, the public
24 disclosure of which would harm the NCAA and its members. Indeed, in some instances, the NCAA
25 has determined that information filed provisionally under seal by the parties ultimately did not contain
26 any information that the NCAA seeks to maintain under seal, and the NCAA is not seeking to maintain
27 such information under seal now. As indicated in Exhibit 1 below, the NCAA agrees that such
28 information may be filed in the public record. For that limited information which the NCAA seeks to

1 maintain under seal, the NCAA is of the view that such highly confidential and sensitive information
2 could not be protected by any less restrictive alternative than sealing.

3 14. For the reasons set forth above and in Exhibit 1, the NCAA respectfully requests that
4 the Court seal the information identified in Exhibit 1 to this Declaration and in the Proposed Order
5 submitted with the sealing motion.

6 I declare under penalty of perjury under the laws of the United States of America and
7 pursuant to 28 U.S.C. § 1746 that the foregoing is true and correct.

8 Executed on this 29th day of September 2023 at Indianapolis, Indiana.

9 Respectfully Submitted,

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11 By: /s/ Scott Bearby
12 Scott Bearby

13 Senior Vice President and General
14 Counsel,
15 *NATIONAL COLLEGIATE ATHLETIC*
16 *ASSOCIATION*
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BEARBY EXHIBIT 1

Ex. 1 Entry Number	Page/Line	Confidentiality Level	Description	Reason for Sealing
Plaintiffs' Class Cert Mtn ECF 208				
5	p. 5, n. 9	NSC	Quote from Mark Lewis testimony in Alston.	Involves confidential business communications
6	p. 5 n. 11	Confidential	Statements regarding NIL made to the NCAA by two of its member conferences.	Involves confidential business communications between the NCAA and its member conferences.
7	p. 6:18	Confidential	"the current legal and legislative environment prevents a permanent solution at this time." Ex. 18	Involves confidential business communications
12	p. 10:14-17	Confidential	Quotes from a letter written to the NCAA by EA Sports in 2019.	Reveals confidential business communications related to the potential licensing of college sports video games.
18	p. 12:16	Highly Confidential - Counsel Only	Data compiled by Plaintiffs' expert witness Daniel A. Rascher regarding NIL activity since July 1, 2021, when the Interim NIL Policy became effective.	This contains information that, when combined with publicly available information, could be used to generate confidential financial information that could be used to the detriment of the NCAA in future negotiations with its current and future

Ex. 1 Entry Number	Page/Line	Confidentiality Level	Description	Reason for Sealing
				business partners.
20, 21	p. 14:15-21, n. 40	Confidential	Confidential communications regarding merchandizing	Involves confidential business communications
22	p. 15:7-12	Confidential	Quoting NCAA's Supplemental Responses and Objections to Plaintiffs' First Interrogatories to all Defendants	Involves confidential business communications
23	p. 16, n. 48	Confidential	Results of a survey commissioned by the NCAA and performed by Bully Pulpit regarding public opinion about paying student-athletes.	Involves confidential business communications between the NCAA and its business partners and the results of confidential NCAA-commissioned surveys and reports.
30	p. 32:9	Highly Confidential - Counsel Only	Information developed by Plaintiffs' expert witness Daniel A. Rascher regarding the interest of EA Sports in including FBS schools in its college football video games.	This contains information that, when combined with publicly available information, could be used to generate confidential financial information that could be used to the detriment of the NCAA in future negotiations with its current and future business partners.

Ex. 1 Entry Number	Page/Line	Confidentiality Level	Description	Reason for Sealing
33	p. 32:22-23	Highly Confidential - Counsel Only	Information developed by Plaintiffs' expert witness Daniel A. Rascher regarding the method by which EA Sports would make payments to student-athletes for their inclusion in EA Sports' college football video games.	This contains information about sales and licensing revenue that could be used to the detriment of the NCAA in future negotiations with its current and future business partners.
Berman Dec ECF 208-1				
39	Ex. 10	NSC	Contains excerpts from 30(b)(6) Deposition Transcript of Mark A. Lewis, taken on Jan. 31, 2017, In re Nat'l Collegiate Athletic Ass'n Grant-in-Aid Cap Antitrust Litig., No. 4:14-md-02541-CW (N.D. Cal.)	Concerns a term of current, expired, and future media, network, and/or broadcasting contracts
41	Ex. 12	Confidential	Letter written to the NCAA Board of Governors by one of its member conferences with recommendations about how to address NCAA NIL legislation.	Involves confidential business communications between the NCAA and its member conferences.
42	Ex. 13	Confidential	Letter written to the NCAA Board of Governors by one of its member conferences with recommendations about how to address NCAA NIL legislation.	Involves confidential business communications between the NCAA and its member conferences.
43	Ex. 18	Confidential	Document entitled "Quick Guide to New NCAA Interim Policy" provided by the NCAA to its member schools and conferences to provide guidance on how to apply and enforce the policy.	Involves confidential business communications between the

Ex. 1 Entry Number	Page/Line	Confidentiality Level	Description	Reason for Sealing
				NCAA and its member conferences.
46	Ex. 26	Confidential	August 30, 2019, letter to the NCAA Board of Governors from EA Sports providing requested information on the topic of compensation to student-athletes for the use of their NIL in college sports video games.	Reveals confidential business communications related to the potential licensing of college sports video games, including information from which values can be estimated.
51	Ex. 38	Confidential	August 30, 2019, letter to the NCAA Board of Governors from Fanatics providing requested information on the topic of compensation to student-athletes for the use of their NIL in sports licensed consumer products.	Reveals confidential business communications, related to the potential licensing of college sports consumer products, including information from which values can be estimated.
52	Ex. 39	Confidential	Defendant NCAA's Supplemental Responses and Objections to Plaintiffs' First Set of Interrogatories to All Defendants (including exhibits).	Exhibit 1 involves confidential business communications between the NCAA and its member conferences.
53	Ex. 45	Confidential	Results of a survey commissioned by the NCAA and performed by Bully Pulpit regarding public opinion about paying student-athletes.	Involves confidential business communications

Ex. 1 Entry Number	Page/Line	Confidentiality Level	Description	Reason for Sealing
				between the NCAA and its business partners and the results of confidential NCAA-commissioned surveys and reports.
Rascher Report ECF 209-2				
63	p. 29 ¶ 55	Confidential	Statements about the NCAA's alleged licensing of its intellectual property to EA Sports and Take-Two Interactive, with reference to the volume of sales.	Reveals confidential business communications related to the potential licensing of college sports video games, including information from which values can be estimated.
64	p. 29 n. 57	Confidential	Statements about the NCAA's alleged licensing of its intellectual property to EA Sports and Take-Two Interactive, with reference to the volume of sales.	Reveals confidential business communications related to the potential licensing of college sports video games, including information from which values can be estimated.
68	p. 30 n. 60	Highly Confidential - Counsel Only	Footnote from redacted text.	Substance of redacted information can be derived from its footnotes.

Ex. 1 Entry Number	Page/Line	Confidentiality Level	Description	Reason for Sealing
69	p. 31 ¶ 59	Confidential	Information regarding the method by which EA Sports would make payments to student-athletes for their inclusion in EA college football video games.	This contains information about sales and licensing revenue that could be used to the detriment of the NCAA in future negotiations with its current and future business partners.
71	p. 32 ¶ 59	Confidential	Information regarding the method by which EA Sports would make payments to student-athletes for their inclusion in EA college football video games.	This contains information about sales and licensing revenue that could be used to the detriment of the NCAA in future negotiations with its current and future business partners.
76	p. 32 n. 64	Confidential	Quotation from August 30, 2019, letter to the NCAA Board of Governors from EA Sports providing requested information on the topic of compensation to student-athletes for the use of their NIL in college sports video games.	Involves confidential business communications between the NCAA and its business partners.
77	p. 32 n. 65	Confidential	Footnote from redacted text.	Substance of redacted information can be derived from its footnotes.
94	p. 59 ¶ 125	Confidential	Reveals business-related communications between EA Sports and the NCAA regarding college football and men's basketball video games.	Involves confidential business communications

Ex. 1 Entry Number	Page/Line	Confidentiality Level	Description	Reason for Sealing
				between the NCAA and its business partners.
95	p. 59 n. 127	Confidential	Footnote from redacted text.	Substance of redacted information can be derived from its footnotes.
96	p. 59 n. 128	Confidential	Footnote from redacted text.	Substance of redacted information can be derived from its footnotes.
103	p. 61 ¶ 128	Confidential	Reveals business-related communications between EA Sports and the NCAA regarding college football video games.	Involves confidential business communications between the NCAA and its business partners.
106	p. 61 n. 136	Confidential	Footnote from redacted text.	Substance of redacted information can be derived from its footnotes.
110	p. 62 ¶ 129	Confidential	Reveals business-related communications between EA Sports and the NCAA regarding college football video games. Also reveals information regarding the method by which EA Sports would make payments to student-athletes for their inclusion in EA college football video games.	Involves confidential business communications between the NCAA and its business partners. Also contains information about sales and licensing revenue that could be used to the detriment of the NCAA in future negotiations

Ex. 1 Entry Number	Page/Line	Confidentiality Level	Description	Reason for Sealing
				with its current and future business partners.
114	p. 62 n. 140	Confidential	Footnote from redacted text.	Substance of redacted information can be derived from its footnotes.
115	p. 62 n. 141	Confidential	Footnote from redacted text.	Substance of redacted information can be derived from its footnotes.
124	p. 64 ¶ 133	Confidential	Reveals business-related communications between EA Sports and the NCAA regarding men's college basketball video games. Also reveals information provided by the buyer of Toys "R" Us about the impact to sales caused by the addition of student-athletes to college basketball video games.	Involves confidential business communications between the NCAA and its business partners. Also contains information about sales and licensing revenue that could be used to the detriment of the NCAA in future negotiations with its current and future business partners.
125	p. 64 ¶ 134	Confidential	Information developed by Plaintiffs' expert witness Daniel A. Rascher based on information provided to him by EA Sports as to the economic impact of lessened NIL restrictions on the market for college football video games.	This contains information about sales and licensing revenue that could be used to the detriment of the NCAA in future

Ex. 1 Entry Number	Page/Line	Confidentiality Level	Description	Reason for Sealing
				negotiations with its current and future business partners.
126	p. 64 n. 147	Confidential	Footnote from redacted text.	Substance of redacted information can be derived from its footnotes.
127	p. 64 n. 148	Confidential	Footnote from redacted text.	Substance of redacted information can be derived from its footnotes.
128	p. 64 n. 149	Confidential	Footnote from redacted text.	Substance of redacted information can be derived from its footnotes.
129	p. 64 n. 150	Confidential	Footnote from redacted text.	Substance of redacted information can be derived from its footnotes.
130	p. 65 ¶ 137	Confidential	Information regarding the method by which EA Sports would make payments to student-athletes for their inclusion in EA college football video games.	This contains information about the licensing of student-athletes that could be used to the detriment of the NCAA in future negotiations with its current and future business partners.
131	p. 65 n. 152	Confidential	Footnote from redacted text.	Substance of redacted information can be derived from its footnotes.

Ex. 1 Entry Number	Page/Line	Confidentiality Level	Description	Reason for Sealing
132	p. 66 ¶ 137	Confidential	Information regarding the method by which EA Sports would make payments to student-athletes for their inclusion in EA college football video games.	This contains information about the licensing of student-athletes that could be used to the detriment of the NCAA in future negotiations with its current and future business partners.
134	p. 66 n. 153	Confidential	Footnote from redacted text.	Substance of redacted information can be derived from its footnotes.
150	p. 76 ¶ 156	NSC	Reveals information contained in NCAA broadcast agreements.	Concerns a term of current, expired, and future media, network, and/or broadcasting contracts.
151	p. 77 ¶ 156	NSC	Reveals information contained in NCAA broadcast agreements.	Concerns a term of current, expired, and future media, network, and/or broadcasting contracts.
152	p. 77 n. 174	NSC	Footnote from redacted text.	Substance of redacted information can be derived from its footnotes.
155	p. 78 ¶ 159	Confidential	Information regarding the method by which EA Sports would make payments to student-athletes for their inclusion in EA college football and basketball video games.	This contains information about the licensing of student-athletes that could be used to the

Ex. 1 Entry Number	Page/Line	Confidentiality Level	Description	Reason for Sealing
				detriment of the NCAA in future negotiations with its current and future business partners.
158	p. 78 n. 177	Confidential	Information regarding the method by which EA Sports would make payments to student-athletes for their inclusion in EA college football video games.	This contains information about the licensing of student-athletes that could be used to the detriment of the NCAA in future negotiations with its current and future business partners.
181	p. 92 Ex. 10	NSC	Calculation of per-athlete damages by Plaintiffs' expert witness Daniel A. Rascher, based on NCAA actual revenue figures.	Concerns a term of current, expired, and future media, network, and/or broadcasting contracts.
182	p. 93 Ex. 11	NSC	Calculation of per-athlete damages by Plaintiffs' expert witness Daniel A. Rascher, based on NCAA actual revenue figures.	Concerns a term of current, expired, and future media, network, and/or broadcasting contracts.
183	p. 94 Ex. 12	NSC	Calculation of per-athlete damages by Plaintiffs' expert witness Daniel A. Rascher, based on NCAA actual revenue figures.	Concerns a term of current, expired, and future media, network, and/or broadcasting contracts.
184, 185	p. 103 ¶ 197 & n. 230	Highly Confidential - Counsel Only	References sensitive member institution financial data reported to the NCAA (MFRS data)	References non-public NCAA financial and

Ex. 1 Entry Number	Page/Line	Confidentiality Level	Description	Reason for Sealing
				MFRS information that could be used to the detriment of the NCAA and/or its member institutions in future negotiations with its current and future business partners.
186	p. 107 Ex. 16	Highly Confidential - Counsel Only	Table listing non-public NCAA Division I financial information for the period 2016-2021, including: (1) revenue; (2) contributions, and; (3) royalties, licensing, advertisement, and sponsorships.	Contains non-public NCAA financial information that could be used to the detriment of the NCAA in future negotiations with its current and future business partners.
187	p. 108 Ex. 17	Highly Confidential - Counsel Only	Table listing non-public NCAA Division I financial information for the period 2016-2021, including: (1) revenue; (2) contributions, and; (3) royalties, licensing, advertisement, and sponsorships.	Contains non-public NCAA financial information that could be used to the detriment of the NCAA in future negotiations with its current and future business partners.
193	Appx Ex. C.4	NSC	Calculation of ACC per-athlete damages by Plaintiffs' expert witness Daniel A. Rascher, based on NCAA actual revenue figures.	Concerns a term of current, expired, and future media, network, and/or

Ex. 1 Entry Number	Page/Line	Confidentiality Level	Description	Reason for Sealing
				broadcasting contracts.
194	Appx Ex. C.5	NSC	Calculation of Big Ten per-athlete damages by Plaintiffs' expert witness Daniel A. Rascher, based on NCAA actual revenue figures.	Concerns a term of current, expired, and future media, network, and/or broadcasting contracts.
195	Appx Ex. C.6	NSC	Calculation of Big 12 per-athlete damages by Plaintiffs' expert witness Daniel A. Rascher, based on NCAA actual revenue figures.	Concerns a term of current, expired, and future media, network, and/or broadcasting contracts.
196	Appx Ex. C.7	NSC	Calculation of Pac-12 per-athlete damages by Plaintiffs' expert witness Daniel A. Rascher, based on NCAA actual revenue figures.	Concerns a term of current, expired, and future media, network, and/or broadcasting contracts.
197	Appx Ex. C.8	NSC	Calculation of SEC per-athlete damages by Plaintiffs' expert witness Daniel A. Rascher, based on NCAA actual revenue figures.	Concerns a term of current, expired, and future media, network, and/or broadcasting contracts.
198	Appx E ¶ 258 & n. 264	Highly Confidential - Counsel Only	References sensitive member institution financial data reported to the NCAA (MFRS data)	References non- public NCAA financial and MFRS information that could be used to the detriment of the NCAA and/or its member institutions in future negotiations with its current

Ex. 1 Entry Number	Page/Line	Confidentiality Level	Description	Reason for Sealing
				and future business partners.
200	Appx E ¶ 261	Highly Confidential - Counsel Only	Method for calculation of SEC per-athlete damages by Plaintiffs' expert witness Daniel A. Rascher, based on NCAA actual revenue figures contained in NCAA MFRS (Membership Financial Reporting System) system.	Method can be used to determine NCAA financial information that could be used to the detriment of the NCAA in future negotiations with its current and future business partners.
201	Appx E n. 267	Highly Confidential - Counsel Only	Footnote from redacted text.	Substance of redacted information can be derived from its footnotes.
202	Appx E n. 272	Highly Confidential - Counsel Only	References sensitive member institution financial data reported to the NCAA (MFRS data)	References non-public NCAA financial and MFRS information that could be used to the detriment of the NCAA and/or its member institutions in future negotiations with its current and future business partners.
203	Appx E ¶ 263	Highly Confidential - Counsel Only	Method for calculation of SEC per-athlete damages by Plaintiffs' expert witness Daniel A. Rascher, based on NCAA actual revenue figures contained in NCAA MFRS system.	Method can be used to determine NCAA financial information that could be used to

Ex. 1 Entry Number	Page/Line	Confidentiality Level	Description	Reason for Sealing
				the detriment of the NCAA in future negotiations with its current and future business partners.
204	Appx E n. 273	Highly Confidential - Counsel Only	Footnote from redacted text.	Substance of redacted information can be derived from its footnotes.
Desser Report ECF 209-3				
215	p. 25 Sec. 6.7	NSC	Reveals information contained in NCAA broadcast agreements.	Concerns a term of current, expired, and future media, network, and/or broadcasting contracts.
218	p. 26 Sec. 6.7	NSC	Reveals information contained in NCAA broadcast agreements.	Concerns a term of current, expired, and future media, network, and/or broadcasting contracts.
219	p. 26 n. 32	NSC	Reveals information contained in NCAA broadcast agreements.	Concerns a term of current, expired, and future media, network, and/or broadcasting contracts.
221	p. 27 Sec. 6.7	NSC	Reveals information contained in NCAA broadcast agreements.	Concerns a term of current, expired, and future media, network, and/or broadcasting contracts.

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236	p. 48 Sec. 10.3	NSC	Reveals information contained in NCAA broadcast agreements.	Concerns a term of current, expired, and future media, network, and/or broadcasting contracts.
237	p. 48 Sec. 10.4	NSC	Reveals information contained in NCAA broadcast agreements.	Concerns a term of current, expired, and future media, network, and/or broadcasting contracts.
238	p. 48 n. 54	NSC	Reveals information contained in NCAA broadcast agreements.	Concerns a term of current, expired, and future media, network, and/or broadcasting contracts.
240	p. 48 n. 56	NSC	Reveals information contained in NCAA broadcast agreements.	Concerns a term of current, expired, and future media, network, and/or broadcasting contracts.
Def Joint Opp ECF 249				
270	p. 15:10	NSC	Reveals information contained in NCAA broadcast agreements.	Concerns a term of current, expired, and future media, network, and/or broadcasting contracts.
Tucker Report ECF 251-1 (254-01)				
334	p. 33 ¶ 43	Confidential	Includes non-public NCAA enrollment transfer statistics for the period 2019- 2022.	Contains non- public NCAA enrollment

Ex. 1 Entry Number	Page/Line	Confidentiality Level	Description	Reason for Sealing
				information that could be used to the detriment of the NCAA in future negotiations with its current and future business partners.
336	p. 33 (Table 1)	Confidential	Table listing non-public NCAA enrollment transfer statistics for the period 2019-2022.	Contains non-public NCAA enrollment information that could be used to the detriment of the NCAA in future negotiations with its current and future business partners.
342	p. 54 ¶ 63	Confidential	Includes non-public NCAA enrollment transfer statistics for student-athletes transferring between A5 and non-A5 schools for the period 2019-2022.	Contains non-public NCAA enrollment information that could be used to the detriment of the NCAA in future negotiations with its current and future business partners.
343	p. 55 (Fig. 3)	Confidential	Table listing non-public NCAA enrollment transfer statistics for student-athletes transferring between A5 and non-A5 schools for the period 2019-2022.	Contains non-public NCAA enrollment information that could be used to the detriment of the NCAA in future negotiations

Ex. 1 Entry Number	Page/Line	Confidentiality Level	Description	Reason for Sealing
				with its current and future business partners.
345	p. 61 ¶ 69	Confidential	Includes non-public NCAA enrollment transfer statistics comparing the 2019-2020 period with the 2022-2023 period for purposes of evaluating the effect of the enactment of the Interim NIL Policy.	Contains non-public NCAA enrollment information that could be used to the detriment of the NCAA in future negotiations with its current and future business partners.
346	p. 62 (Fig. 4)	Confidential	Table listing non-public NCAA enrollment transfer statistics comparing the 2019-2020 period with the 2022-2023 period for purposes of evaluating the effect of the enactment of the Interim NIL Policy.	Contains non-public NCAA enrollment information that could be used to the detriment of the NCAA in future negotiations with its current and future business partners.
348	p. 67 (Table 5)	Confidential	Table listing non-public NCAA information related to the number of student-athletes reporting NIL deals.	Contains non-public NCAA confidential and proprietary information that could be used to the detriment of the NCAA in future negotiations with its current and future business partners.

Ex. 1 Entry Number	Page/Line	Confidentiality Level	Description	Reason for Sealing
349	p. 67 n.153	Confidential	Footnote from redacted text.	Substance of redacted information can be derived from its footnotes.
350	p. 68 Notes	Confidential	Notes for redacted text.	Substance of redacted information can be derived from its Notes.
351	p. 68 ¶ 76	Confidential	Includes non-public NCAA information comparing the value of NIL deals by student-athletes at A5 schools with student-athletes at non-A5 schools for the period July 2021 to September 2022.	Contains non-public NCAA confidential and proprietary information that could be used to the detriment of the NCAA in future negotiations with its current and future business partners.
352	p. 68 (Table 6)	Confidential	Table listing non-public NCAA information comparing the value of NIL deals of student-athletes at A5 schools with student-athletes at non-A5 schools for the period July 2021 to September 2022.	Contains non-public NCAA confidential and proprietary information that could be used to the detriment of the NCAA in future negotiations with its current and future business partners.
353	p. 68 n.154	Confidential	Footnote from redacted text.	Substance of redacted information can be derived from its footnotes.

Ex. 1 Entry Number	Page/Line	Confidentiality Level	Description	Reason for Sealing
355	p. 71 (Table 7)	Highly Confidential - Counsel Only	Table listing non-public full-scholarship availability information for student-athletes at A5 schools for the period 2016 to 2021.	Contains non-public NCAA confidential and proprietary information that could be used to the detriment of the NCAA in future negotiations with its current and future business partners.
371	p. 115 (Fig. 7)	Confidential	Table listing SAF distribution to full-scholarship football student-athletes at select A5 schools for the period 2015 to 2016.	Contains non-public NCAA financial information that could be used to the detriment of the NCAA in future negotiations with its current and future business partners.
373	p. 116 (Fig. 8)	Confidential	Table listing the percentage of full-scholarship football student-athletes receiving SAF assistance at select A5 schools for the period 2015 to 2016.	Contains non-public NCAA financial information that could be used to the detriment of the NCAA in future negotiations with its current and future business partners.
374	p. 117 ¶ 129	Confidential	Contains information regarding both the percentage of full-scholarship football student-athletes receiving SAF assistance at select A5 schools and the dollar amounts of that assistance.	Contains non-public NCAA financial information that could be used to

Ex. 1 Entry Number	Page/Line	Confidentiality Level	Description	Reason for Sealing
				the detriment of the NCAA in future negotiations with its current and future business partners.
376	p. 117 ¶ 130	Confidential	Contains information regarding the distribution of SAF assistance by school and by sport at select A5 schools.	Contains confidential and proprietary NCAA financial information that could be used to the detriment of the NCAA in future negotiations with its current and future business partners.
378	p. 118 (Fig. 9)	Confidential	Table listing the distribution of SAF assistance by school and by sport at select A5 schools.	Contains confidential and proprietary NCAA financial information that could be used to the detriment of the NCAA in future negotiations with its current and future business partners.
380	p. 120 (Fig. 10)	Confidential	Table listing the percentage of total revenue attributed to football, men's basketball, and women's basketball at ACC schools for the period 2016 to 2021.	Contains non-public NCAA financial information that could be used to the detriment of the NCAA in future negotiations

Ex. 1 Entry Number	Page/Line	Confidentiality Level	Description	Reason for Sealing
				with its current and future business partners.
381	p. 121 Note	Confidential	Contains non-public NCAA financial and MFRS information.	Contains non-public NCAA financial and MFRS information that could be used to the detriment of the NCAA in future negotiations with its current and future business partners.
382	p. 121 ¶ 135	Confidential	Includes percentage and rankings of total revenue attributed to select ACC schools.	Contains non-public NCAA financial information that could be used to the detriment of the NCAA in future negotiations with its current and future business partners.
383	p. 121 n.303	Confidential	Footnote from redacted text.	Substance of redacted information can be derived from its footnotes.
384	p. 121 n.304	Confidential	Footnote from redacted text.	Substance of redacted information can be derived from its footnotes.
385	p. 121 n.305	Confidential	Footnote from redacted text.	Substance of redacted information can

Ex. 1 Entry Number	Page/Line	Confidentiality Level	Description	Reason for Sealing
				be derived from its footnotes.
396	p. 137 n.347	Highly Confidential - Counsel Only	References sensitive member institution financial data reported to the NCAA (MFRS data)	References non-public NCAA financial and MFRS information that could be used to the detriment of the NCAA and/or its member institutions in future negotiations with its current and future business partners.
399	p. 139 (Table 9)	Confidential	Table listing the percentage of total revenue that would be attributed to football, men's basketball, and women's basketball at A5 schools for the period 2016 to 2021 using the Rascher Report's Methodology.	Contains non-public NCAA financial information that could be used to the detriment of the NCAA in future negotiations with its current and future business partners.
400	p. 139 n.349	Confidential	Footnote from redacted text.	Substance of redacted information can be derived from its footnotes.
403	p. 144 n.363	NSC	Reveals information contained in NCAA broadcast agreements.	Concerns a term of current, expired, and future media, network, and/or broadcasting contracts.

Ex. 1 Entry Number	Page/Line	Confidentiality Level	Description	Reason for Sealing
409	p. 151-52 ¶ 168 (a) & n. 386	NSC and Highly Confidential Counsel Only Information	Reveals number of eligible class members using MFRS data. Coupled with other public information in the pleadings, this number would allow the calculation of the amount of media rights contracts	Method can be used to determine NCAA financial information that could be used to the detriment of the NCAA and the Autonomy 5 Conferences in future negotiations with its current and future business partners.
424	p. 181 ¶ 218	Highly Confidential - Counsel Only	Contains information about student-athlete NIL deals and their connection to social media.	Contains confidential and proprietary NCAA information that could be used to the detriment of the NCAA in future negotiations with its current and future business partners.
425	p. 181 n.472	Highly Confidential - Counsel Only	Contains information about student-athlete NIL deals and their connection to social media.	Contains confidential and proprietary NCAA information that could be used to the detriment of the NCAA in future negotiations with its current and future business partners.

Ex. 1 Entry Number	Page/Line	Confidentiality Level	Description	Reason for Sealing
426	p. 182 (Table 11)	Highly Confidential - Counsel Only	Table listing the types of third-party NIL transactions by student-athletes.	Contains confidential and proprietary NCAA information that could be used to the detriment of the NCAA in future negotiations with its current and future business partners.
427	p. 182 n.473	Highly Confidential - Counsel Only	Footnote from redacted text.	Substance of redacted information can be derived from its footnotes.
444	p. 201 (Table 13)	Highly Confidential - Counsel Only	Table listing the total revenue for A5 schools for the period 2016 to 2021 and the amount of that revenue if calculated using the Rascher Report's Methodology, with a focus on the effect of the COVID-19 pandemic.	Contains non- public NCAA financial information that could be used to the detriment of the NCAA in future negotiations with its current and future business partners.
445	p. 201 n.530	Highly Confidential - Counsel Only	Footnote from redacted text.	Substance of redacted information can be derived from its footnotes.
446	p. 202 ¶ 243	Highly Confidential - Counsel Only	Includes percentage comparisons of total revenue for A5 schools for the period 2016 to 2021 to the amount of that revenue if calculated using the Rascher Report's Methodology, with a focus on the effect of the COVID-19 pandemic.	Contains non- public NCAA financial information that could be used to the detriment of the NCAA in future

Ex. 1 Entry Number	Page/Line	Confidentiality Level	Description	Reason for Sealing
				negotiations with its current and future business partners.
456	p. 204 ¶ 245	Highly Confidential - Counsel Only	Contains statistics about NIL-transaction data and relationships with social media, with a focus on the effect of the COVID-19 pandemic.	Contains non-public NCAA financial information that could be used to the detriment of the NCAA in future negotiations with its current and future business partners.
460	p. 207 Notes	Highly Confidential - Counsel Only	Contains non-public NCAA financial and MFRS information.	Contains non-public NCAA financial and MFRS information that could be used to the detriment of the NCAA in future negotiations with its current and future business partners.
461	p. 207 n.547	Highly Confidential - Counsel Only	Contains non-public NCAA financial and MFRS information.	Contains non-public NCAA financial and MFRS information that could be used to the detriment of the NCAA in future negotiations with its current and future

Ex. 1 Entry Number	Page/Line	Confidentiality Level	Description	Reason for Sealing
				business partners.
462	p. 209 Notes	Highly Confidential - Counsel Only	Contains non-public NCAA financial information about the value of third-party NIL deals by student-athletes.	Contains non-public NCAA financial information that could be used to the detriment of the NCAA in future negotiations with its current and future business partners.
474	p. 218 ¶ 257	Highly Confidential - Counsel Only	Contains non-public NCAA financial information about the value of third-party NIL deals by student-athletes.	Contains non-public NCAA financial information that could be used to the detriment of the NCAA in future negotiations with its current and future business partners.
477	p. 218 n.575	Highly Confidential - Counsel Only	Footnote from redacted text.	Substance of redacted information can be derived from its footnotes.
483	p. 219 ¶ 259	Highly Confidential - Counsel Only	Contains non-public NCAA financial information about the value of third-party NIL deals by student-athletes.	Contains non-public NCAA financial information that could be used to the detriment of the NCAA in future negotiations with its current and future

Ex. 1 Entry Number	Page/Line	Confidentiality Level	Description	Reason for Sealing
				business partners.
488	p. 220 (Table 15)	Highly Confidential - Counsel Only	Table listing non-public NCAA information comparing the value of in-kind or non-monetary NIL deals of student-athletes at A5 schools with student-athletes at non-A5 schools.	Contains non-public NCAA confidential and proprietary information that could be used to the detriment of the NCAA in future negotiations with its current and future business partners.
492	p. 220 n.582	Highly Confidential - Counsel Only	Footnote from redacted text.	Substance of redacted information can be derived from its footnotes.
499	p. 224 n.593	none	Citation that alone reveals no confidential information.	None.
508	p. 226 ¶ 265	Highly Confidential - Counsel Only	Contains information about the percentage of student-athletes who report only one third-party NIL deal.	Contains non-public NCAA confidential and proprietary information that could be used to the detriment of the NCAA in future negotiations with its current and future business partners.
512	p. 227 (Table 16)	Highly Confidential - Counsel Only	Table containing information about the number and percentage of student-athletes who report one or more third-party NIL deal, grouped by the number of third-party NIL deals reported.	Contains non-public NCAA confidential and proprietary information that

Ex. 1 Entry Number	Page/Line	Confidentiality Level	Description	Reason for Sealing
				could be used to the detriment of the NCAA in future negotiations with its current and future business partners.
513	p. 227 n.603	Highly Confidential - Counsel Only	Footnote from redacted text.	Substance of redacted information can be derived from its footnotes.
514	p. 238 ¶ 280 (b)	Highly Confidential - Counsel Only	Reveals business-related communications between EA Sports and the NCAA regarding college basketball video games.	Involves confidential business communications between the NCAA and its business partners.
516	p. 238-39 n.654	Highly Confidential - Counsel Only	Reveals business-related communications between EA Sports and the NCAA regarding college basketball video games.	Involves confidential business communications between the NCAA and its business partners.
518	p. 239-40 ¶ 282	Confidential	Reveals business-related communications between EA Sports and the NCAA regarding college basketball video games.	Involves confidential business communications between the NCAA and its business partners.
519	p. 239 n.656	Confidential	Reveals business-related communications between EA Sports and the NCAA regarding college basketball video games.	Involves confidential business communications between the NCAA and its

Ex. 1 Entry Number	Page/Line	Confidentiality Level	Description	Reason for Sealing
				business partners.
520	p. 239-40 n.657	Confidential	Reveals business-related communications between EA Sports and the NCAA regarding college basketball video games.	Involves confidential business communications between the NCAA and its business partners.
521	p. 240 ¶ 282	Confidential	Reveals business-related communications between EA Sports and the NCAA regarding college basketball video games.	Involves confidential business communications between the NCAA and its business partners.
522	p. 240 n.658	Confidential	Reveals business-related communications between EA Sports and the NCAA regarding college football and basketball video games.	Involves confidential business communications between the NCAA and its business partners.
524	p. 240 n.661	Confidential	Contains non-public NCAA financial information about the estimated value of retail sales for trading cards, video games, and jerseys.	Contains non-public NCAA financial information that could be used to the detriment of the NCAA in future negotiations with its current and future business partners.
525	p. 240 n.662	Confidential	Reveals business-related communications between EA Sports and the NCAA regarding college basketball video games.	Involves confidential business communications between the

Ex. 1 Entry Number	Page/Line	Confidentiality Level	Description	Reason for Sealing
				NCAA and its business partners.
527	p. 241 n.663	Highly Confidential - Counsel Only	Reveals business-related communications between EA Sports and the NCAA regarding college football video games.	Involves confidential business communications between the NCAA and its business partners.
530	p. 244 ¶ 290 & n.669	Highly Confidential - Counsel Only	Contains non-public NCAA financial and MFRS information regarding the comparison of projected annual revenues and expenses for a select Big Ten school if it was required to make broadcast-revenue payments to student-athletes.	Contains non-public NCAA financial and MFRS information that could be used to the detriment of the NCAA in future negotiations with its current and future business partners.
532	p. 245 (Table 17)	Highly Confidential - Counsel Only	Table listing non-public NCAA financial and MFRS information regarding the comparison of projected annual revenues and expenses by sport for a select Big Ten school if it was required to make broadcast-revenue payments to student-athletes.	Contains non-public NCAA financial and MFRS information that could be used to the detriment of the NCAA in future negotiations with its current and future business partners.
533	p. 245 n.670	Highly Confidential - Counsel Only	Footnote from redacted text.	Substance of redacted information can be derived from its footnotes.

Ex. 1 Entry Number	Page/Line	Confidentiality Level	Description	Reason for Sealing
534	p. 246 Notes	Highly Confidential - Counsel Only	Method for calculation of revenue and expenses by Plaintiffs' expert witness Daniel A. Rascher, based on NCAA revenue figures contained in NCAA MFRS system.	Method can be used to determine NCAA financial information that could be used to the detriment of the NCAA in future negotiations with its current and future business partners.
535	p. 246 ¶ 291	Highly Confidential - Counsel Only	Contains non-public NCAA financial information about the projected annual revenues and expenses - and the decisions it would make if expenses exceeded revenues - for a select Big Ten school if it was required to make broadcast-revenue payments to student-athletes.	Contains non-public NCAA financial information that could be used to the detriment of the NCAA in future negotiations with its current and future business partners.
536	p. 249-50 ¶ 296 (a)	Highly Confidential - Counsel Only	Uses non-public NCAA financial and MFRS information to illustrate the Rascher Report's use of a school-specific multisport revenue allocation factor.	Contains non-public NCAA financial and MFRS information that could be used to the detriment of the NCAA in future negotiations with its current and future business partners.
537	p. 250 ¶ 296 (b)	Highly Confidential - Counsel Only	Uses non-public NCAA financial and MFRS information to illustrate the Rascher Report's use of a school-	Contains non-public NCAA financial and MFRS

Ex. 1 Entry Number	Page/Line	Confidentiality Level	Description	Reason for Sealing
			specific multisport revenue allocation factor.	information that could be used to the detriment of the NCAA in future negotiations with its current and future business partners.
538	p. 250 ¶ 296 (c)	Highly Confidential - Counsel Only	Uses non-public NCAA financial and MFRS information to illustrate the Rascher Report's use of a school-specific multisport revenue allocation factor.	Contains non-public NCAA financial and MFRS information that could be used to the detriment of the NCAA in future negotiations with its current and future business partners.
539, 540	p. 251 (Fig. 16) & n.679	Highly Confidential - Counsel Only	Table listing non-public NCAA financial and MFRS information regarding the portion of total revenues attributed to football, men's basketball, and women's basketball at select A5 schools for the period 2016-2021.	Contains non-public NCAA financial and MFRS information that could be used to the detriment of the NCAA in future negotiations with its current and future business partners.
542	p. 252 ¶ 300	Confidential	Contains non-public NCAA financial information about the percentage of student-athletes who failed to report a third-party NIL deal after July 1, 2021.	Contains non-public NCAA financial information that could be used to the detriment of the NCAA in

Ex. 1 Entry Number	Page/Line	Confidentiality Level	Description	Reason for Sealing
				future negotiations with its current and future business partners.
544	p. 252 n.682	Confidential	Footnote from redacted text.	Substance of redacted information can be derived from its footnotes.
548	p. 255 n.689	none	Citation that alone reveals no confidential information.	None.
Thompson Report ECF 251-2 (254-02)				
549	p. 8 n.23	none	Citation that alone reveals no confidential information.	None.
550	p. 8 n.24	NSC	Reveals information contained in NCAA broadcast agreements.	Concerns a term of current, expired, and future media, network, and/or broadcasting contracts.
554	p. 9-10	NSC	Reveals information contained in NCAA broadcast agreements.	Concerns a term of current, expired, and future media, network, and/or broadcasting contracts.
556	p. 10	NSC	Reveals information contained in NCAA broadcast agreements.	Concerns a term of current, expired, and future media, network, and/or broadcasting contracts.
575, 576	p. 13 & n.41	NSC	Reveals information contained in NCAA broadcast agreements.	Concerns a term of current, expired, and

Ex. 1 Entry Number	Page/Line	Confidentiality Level	Description	Reason for Sealing
				future media, network, and/or broadcasting contracts.
577	p. 14	NSC	Reveals information contained in NCAA broadcast agreements.	Concerns a term of current, expired, and future media, network, and/or broadcasting contracts.
580	p. 14 n.42	NSC	Reveals information contained in NCAA broadcast agreements.	Concerns a term of current, expired, and future media, network, and/or broadcasting contracts.
584	p. 15 n.48	NSC	Reveals information contained in NCAA broadcast agreements.	Concerns a term of current, expired, and future media, network, and/or broadcasting contracts.
591	p. 17	NSC	Reveals information contained in NCAA broadcast agreements.	Concerns a term of current, expired, and future media, network, and/or broadcasting contracts.
593	p. 17 n.55	NSC	Reveals information contained in NCAA broadcast agreements.	Concerns a term of current, expired, and future media, network, and/or broadcasting contracts.
594	p. 17 n.56	NSC	Reveals information contained in NCAA broadcast agreements.	Concerns a term of current, expired, and future media, network, and/or

Ex. 1 Entry Number	Page/Line	Confidentiality Level	Description	Reason for Sealing
				broadcasting contracts.
614	p. 24	NSC	Reveals information contained in NCAA broadcast agreements.	Concerns a term of current, expired, and future media, network, and/or broadcasting contracts.
Rascher Depo ECF 251-7 (254-05)				
710	p. 140:16- 141:13	Highly Confidential - Counsel Only	Uses non-public MFRS information to illustrate the Rascher Report's methodology for allocating revenue among football, men's basketball, and women's basketball.	Contains non- public MFRS information that could be used to the detriment of the NCAA in future negotiations with its current and future business partners.
711	p. 142:8- 143:18	Highly Confidential - Counsel Only	Uses non-public MFRS information to determine the allocation of revenue among football, men's basketball, and women's basketball using the allocation methodology described in the Rascher Report.	Contains non- public MFRS information that could be used to the detriment of the NCAA in future negotiations with its current and future business partners.
712	p. 144:2- 22	Highly Confidential - Counsel Only	Uses non-public MFRS information to determine the allocation of revenue among football, men's basketball, and women's basketball using the allocation methodology described in the Rascher Report.	Contains non- public MFRS information that could be used to the detriment of the NCAA in future

Ex. 1 Entry Number	Page/Line	Confidentiality Level	Description	Reason for Sealing
				negotiations with its current and future business partners.
713	p. 145:24-146:6	Highly Confidential - Counsel Only	Uses non-public MFRS information to determine the allocation of revenue among football, men's basketball, and women's basketball using the allocation methodology described in the Rascher Report.	Contains non-public MFRS information that could be used to the detriment of the NCAA in future negotiations with its current and future business partners.
715	p. 147:22-148:6	Highly Confidential - Counsel Only	Uses non-public MFRS information to determine the allocation of revenue among football, men's basketball, and women's basketball using the allocation methodology described in the Rascher Report.	Contains non-public MFRS information that could be used to the detriment of the NCAA in future negotiations with its current and future business partners.
716	p. 149:1-150:12	Highly Confidential - Counsel Only	Uses non-public MFRS information to determine the allocation of revenue among football, men's basketball, and women's basketball using the allocation methodology described in the Rascher Report to illustrate its application to select schools in the ACC.	Contains non-public MFRS information that could be used to the detriment of the NCAA in future negotiations with its current and future business partners.
720	p. 183:14-21	Highly Confidential - Counsel Only	Includes mention of MFRS data to estimate the number of student-athletes on full scholarships.	References non-public MFRS information that could be used to

Ex. 1 Entry Number	Page/Line	Confidentiality Level	Description	Reason for Sealing
				the detriment of the NCAA in future negotiations with its current and future business partners
721	p. 184:1-3	Highly Confidential - Counsel Only	Includes mention of MFRS data to estimate the number of student-athletes on full scholarships.	References non-public MFRS information that could be used to the detriment of the NCAA in future negotiations with its current and future business partners
Plaintiffs' Reply ECF 289				
754	p. 11:3-6	Confidential	Reveals business-related communications between EA Sports and the NCAA regarding college football and basketball video games.	Involves confidential business communications between the NCAA and its business partners.
Rascher Reply Report ECF 290-2				
798	p. 22 ¶ 36	Confidential	Information developed by Plaintiffs' expert witness Daniel A. Rascher using non-public financial information provided by the NCAA regarding the financial impact to the NCAA of paying BNIL to student-athletes.	Contains non-public NCAA financial information that could be used to the detriment of the NCAA in future negotiations with its current and future

Ex. 1 Entry Number	Page/Line	Confidentiality Level	Description	Reason for Sealing
				business partners.
799	p. 23 ¶ 38	Confidential	Contains non-public NCAA financial and MFRS information.	Contains non-public NCAA financial and MFRS information that could be used to the detriment of the NCAA in future negotiations with its current and future business partners.
800	p.23 n. 58	Confidential	Contains non-public NCAA financial and MFRS information.	Contains non-public NCAA financial and MFRS information that could be used to the detriment of the NCAA in future negotiations with its current and future business partners.
804	p. 32 n. 83	Confidential	Reveals business-related communications between EA Sports and the NCAA regarding college football and basketball video games.	Involves confidential business communications between the NCAA and its business partners.
814	p. 42 ¶ 74	Confidential	Reveals business-related communications between EA Sports and the NCAA regarding men's college basketball video games. Also reveals information provided by CLC and by the buyer of Toys "R" Us about the	Involves confidential business communications between the NCAA and its

Ex. 1 Entry Number	Page/Line	Confidentiality Level	Description	Reason for Sealing
			impact to sales caused by the addition of student-athletes to college basketball video games.	business partners. Also contains information about sales and licensing revenue that could be used to the detriment of the NCAA in future negotiations with its current and future business partners.
823	p. 59 ¶ 107	Confidential	Contains non-public NCAA financial and MFRS information.	Contains non-public NCAA financial and MFRS information that could be used to the detriment of the NCAA in future negotiations with its current and future business partners.
824	p. 59 ¶ 108	Confidential	Contains non-public NCAA financial and MFRS information.	Contains non-public NCAA financial and MFRS information that could be used to the detriment of the NCAA in future negotiations with its current and future business partners.

Ex. 1 Entry Number	Page/Line	Confidentiality Level	Description	Reason for Sealing
825	p. 84-85 n.217	Highly Confidential - Counsel Only	Information developed by Plaintiffs' expert witness Daniel A. Rascher based on information provided to him in <i>Alston</i> .discussing highly confidential counsel only information related to institution squad list data from NCAA-produced documents	Contains non-public squad list data reported confidentially to the NCAA and which could be used to the detriment of the NCAA and its member institutions.